

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES LAFAYETTE MCGEE, #L7157

PLAINTIFF

v.

CAUSE NO.1:15-cv-65-LG-RHW

ROBERT P. KREBS, ET AL.

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal.

Pursuant to the Memorandum Opinion and Order issued this date and incorporated herein by reference,

IT IS ORDERED AND ADJUDGED that Plaintiff's habeas claims are **DISMISSED WITHOUT PREJUDICE**. Plaintiff's § 1983 claims are dismissed **WITH PREJUDICE** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and based on immunity pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii). The dismissals pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) count as a strike under the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915(g).

SO ORDERED AND ADJUDGED this the 18th day of November, 2015.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE